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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CAROLYN WILLIS-CASEY,

Defendant.

CASE NO: 2:12-cr-463-JCM-VCF

**UNOPPOSED MOTION TO
TEMPORARILY MODIFY CONDITIONS
OF PRETRIAL RELEASE AND
PROPOSED ORDER**

(Fourth Request)

COMES NOW, JAMES A. ORONoz, ESQ., counsel for CAROLYN WILLIS-CASEY, and hereby submits the following Unopposed Motion to Temporarily Modify Conditions of Pretrial Release. This Motion seeks a Court order authorizing pretrial services to temporarily return Ms. Willis-Casey's passport to her so that she may renew her passport and her Nevada driver's license.

DATED this 22nd day of August, 2014.

Respectfully Submitted by:

/s/ James A. Oronoz
JAMES A. ORONoz, Esq.
700 South 3rd Street
Las Vegas, NV 89101
Counsel for Carolyn Willis-Casey

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STATEMENT OF FACTS

On May 20, 2014, the United States government filed a Third Superseding Indictment charging the Defendant, Carolyn Shelmadine Willis-Casey, along with several co-defendants, with Theft of Government Money, in violation of 18 U.S.C. § 641; False Citizenship Claim, in violation of 18 U.S.C. § 911; False Statement in Application for a Passport, in violation of 18 U.S.C. § 1542; Aggravated Identity Theft, in violation of 18 U.S.C. § 1028(a)(1); Conspiracy, in violation of 18 U.S.C. § 1349; and Mail Fraud, in violation of 18 U.S.C. § 1341.

Ms. Willis-Casey's role in the alleged conspiracy, at the outset, appears to have been relatively minor. On November 14, 2013, this Court issued an Order releasing Ms. Willis-Casey from pretrial detention on her own recognizance and setting several conditions of release. Included among those conditions were requirements that Ms. Willis-Casey surrender her legally obtained passport to pretrial services and that she obtain no other travel documents. She has complied with these conditions.

Ms. Willis-Casey, a legal resident of the United States, must renew her passport and her Nevada driver's license. An agent at the United States Customs and Immigration Services informed Ms. Willis-Casey that she must renew her passport and her Nevada driver's license every six (6) months because she has a criminal case pending in federal court. The respective processes of renewing her passport and her Nevada driver's license require that Ms. Willis-Casey present her passport in order to verify her lawful presence in the United States. Ms. Willis-Casey estimates that she will be able to complete both transactions in one (1) day.

On August 7, 2014, Ms. Willis-Casey filed an Unopposed Motion to obtain her passport (Doc. 305). The motion included a proposed order with a specific date (August 20,

1 2014) for Ms. Willis-Casey to obtain her passport. Because that date has expired without a
2 ruling from the Court, Ms. Willis-Casey submits the instant request.

3 Ms. Willis-Casey now seeks an order from this honorable Court temporarily modifying
4 her conditions of pretrial release and authorizing pretrial services to temporarily return her
5 passport on for one (1) day, so that she may renew her passport and Nevada driver's license.
6

7 The Government, by and through U.S. Attorney J. Gregory Damm, does not oppose the
8 instant request.

9
10 **MEMORANDUM OF POINTS AND AUTHORITIES**

11 A judicial officer may, at any time, amend an order setting conditions of release in order
12 to impose different conditions. 18 U.S.C. § 3142(c)(3).

13 Here, Ms. Willis-Casey asks only that the conditions of her release be modified
14 sufficiently to allow her to renew her passport and Nevada driver's license. As mentioned above,
15 she has fully cooperated with the conditions of her pretrial release and there is no indication
16 whatsoever that she is a danger to the community or that she represents a flight risk such that she
17 should not be allowed to possess her passport for a brief, temporary period of time. Specifically,
18 she requests that pretrial services release her passport for one day.
19

20 **CONCLUSION**

21 For the reasons stated above, Ms. Willis-Casey's, respectfully requests that the
22 conditions of her pretrial release be modified such that she be allowed to possess her passport
23 for one day in order to renew her passport and Nevada driver's license.
24

25 DATED this 22nd day of August, 2014.

26 Respectfully submitted,

27 /s/ James A. Oronoz
28 JAMES A. ORONoz, Esq.
Counsel for Carolyn Willis-Casey

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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

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ORDER

IT IS HEREBY ORDERED that the conditions of Ms. Willis-Casey's pretrial release be modified so that she be allowed to obtain her passport from pretrial services for a period of one (1) day, for the purpose of renewing her passport and her Nevada driver's license.

DATED AND DONE this 28th day of August, 2014.


UNITED STATES MAGISTRATE

Respectfully Submitted By:

/s/ James A. Oronoz
James A. Oronoz, Esq.
Nevada Bar No. 6769

CERTIFICATE OF ELECTRONIC SERVICE

The undersigned hereby certifies that I am an employee of Oronoz & Ericsson LLC and that I am a person of such age and discretion so as to be competent to serve papers.

That on August 22nd, 2014, I served an electronic copy of the above and foregoing UNOPPOSED MOTION TO TEMPORARILY MODIFY CONDITIONS OF PRETRIAL RELEASE AND PROPOSED ORDER (FOURTH REQUEST) by electronic service (ECF) to the person(s) named below:

DANIEL G. BOGDEN
United States Attorney
333 Las Vegas Blvd. South, #5000
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Counsel for United States

J. GREGORY DAMM
Assistant United States Attorney
333 Las Vegas Blvd. South, #5000
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Counsel for United States

/s/ Lucas Gaffney
Employee of Oronoz & Ericsson LLC